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May 6, 2021

By ECF

Hon. Jesse M. Furman
United States District Judge
40 Centre Street, Room 2202
New York, New York 10007

Re: Accent Delight, et al. v. Sotheby's and Sotheby's, Inc., No. 18-CV-9011

Dear Judge Furman:

In response to Sotheby's request to submit a new document in yet another attempt to pierce the privilege over the C2L report (Dkt. # 278):

Plaintiffs did not before now have the email Sotheby's seeks to present. It was sent by Tetiana Bersheda (Plaintiffs' Swiss counsel at the time) using a law firm email account over which, as Plaintiffs previously explained to Sotheby's, we have no custody or control. Sotheby's only provided this document to us after first writing to the Court.

We are investigating to ascertain the context in which the document was sent, and hope to further inform the Court tomorrow.

The document at issue came to Sotheby's counsel from Bouvier improperly. While Bouvier collaborates with Sotheby's to give them select documents of his choosing, he refuses to produce any, much less all, documents required by the Hague subpoena requested jointly by the parties. Despite their common interest agreement, Sotheby's does not appear to have taken any steps to ensure Bouvier's compliance with the Hague subpoena.

Respectfully,

/s/
Daniel J. Kornstein

c. All counsel of record